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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Luitpold Pharmaceuticals, Inc.,	:	Case No. 11-cv-0681 (KBF) (THK)
Plaintiff-Counterclaim Defendant,	:	<b>NOTICE OF MOTION IN</b>
v.	:	<b>LIMINE NO. 2</b>
Ed. Geistlich Söhne A.G. Für Chemische Industrie,	:	
and OSTEOMEDICAL LTD.	:	
Defendants-Counterclaim Plaintiffs.	:	
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Plaintiff, Counterclaim Defendant Luitpold Pharmaceuticals, Inc. (“Luitpold”) moves to exclude portions of Defendants, Counterclaim Plaintiffs’ (“Geistlich”) expert witness testimony because Michele M. Riley (“Riley”) intends to offer unhelpful, unreliable opinions that fail to meet the requirements of Federal Rule of Evidence 702. Geistlich offers this witness in support of its claim that Luitpold breached a contractual requirement that Luitpold use “best efforts” to

distribute Geistlich's products. The Court thus should exclude all of the opinions set forth in Riley's July 3, 2015 reports.

Dated: New York, New York  
September 2, 2015

Respectfully Submitted,

By: /s/ Hunter T. Carter

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